

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  AMANA COLONIES TELEPHONE COMPANY, d/b/a HICKORYTECH, AND SOUTH SLOPE COOPERATIVE TELEPHONE COMPANY	DOCKET NO. SPU-00-14
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**ORDER APPROVING JOINT APPLICATION FOR DISCONTINUANCE OF  
SERVICE AND AUTHORIZING TRANSFER OF CERTIFICATE**

(Issued September 11, 2000)

On August 11, 2000, Amana Colonies Telephone Company, d/b/a HickoryTech (Amana Colonies) and South Slope Cooperative Telephone Company (South Slope) (collectively, Joint Applicants) filed a joint application pursuant to Iowa Code § 476.20 (1999) for discontinuance of service and Iowa Code § 476.29 for transfer of a certificate. South Slope has entered into an asset purchase agreement to acquire the assets of Amana Colonies necessary to provide local exchange service in the Amana, Iowa, exchange. The acquisition will result in the discontinuance of service in the Amana exchange by Amana Colonies and continuation of the existing service by South Slope.

The Joint Applicants ask to have the certificate of public convenience and necessity presently issued to Amana Colonies for service in the Amana exchange transferred to South Slope. The Joint Applicants further seek Utilities Board (Board)

approval of the proposed discontinuance of service by Amana Colonies in the Amana exchange.

Amana Colonies is a nonrate-regulated local exchange utility currently providing service in one Iowa exchange. South Slope is a nonrate-regulated local exchange utility currently providing local service in the Ely, Fairfax, Newhall, North Liberty, and Norway exchanges.

Iowa Code § 476.20 provides in relevant part that a utility shall not discontinue service to a community unless permission to do so is obtained from the Board. Rule 199—7.12(5) states that an application to discontinue service incident to a utility property transfer will be granted "if the board finds the transferee is ready, willing, and able to provide comparable utility service." Finally, Iowa Code § 476.29(3) provides for the transference of a local exchange certificate of public convenience and necessity, subject to the Board's approval pursuant to Iowa Code § 476.20(1).

South Slope provides local exchange telecommunications services to approximately 15,000 customers in the five exchanges. The Amana exchange is located immediately south of the Norway exchange with similar service requirements and characteristics as the other exchanges where South Slope is providing service. No objections to the joint application have been filed with the Board.

From the information provided, the Board finds that South Slope has demonstrated a history of providing local exchange telecommunications service in compliance with the Board's rules and requirements and that it is ready, willing, and able to provide comparable service in the Amana exchange.

The Board approves Amana Colonies's application to discontinue service to the Amana exchange, pursuant to 199 IAC 7.12 and Iowa Code § 476.20(1) (1999). The Board also approves the request to transfer Amana Colonies's certificate to serve the Amana exchange to South Slope, pursuant to Iowa Code § 476.29(3) (1999).

South Slope will be required to file new service area boundary maps showing the addition of the Amana exchange, as well as new tariffs within 30 days of this order. Until those tariffs are approved, service to the Amana exchange will be provided by South Slope under the Amana Colonies tariff.

South Slope and Amana Colonies indicated that a waiver of the study area requirements of the Federal Communications Commission (FCC) will be necessary in connection with this transaction. It has been the FCC's policy not to accept a waiver petition until the state regulatory agency has indicated that it does not object to changes in the study area boundaries. The Board affirmatively states that it does not object to the request that a study area waiver be granted by the FCC.

**IT IS THEREFORE ORDERED:**

1. The joint application for approval of discontinuance of service and transference of certificate with regard to the Amana exchange, filed August 18, 2000, by Amana Colonies Telephone Company, d/b/a HickoryTech, and South Slope Cooperative Telephone Company is approved to be effective upon the issuance of this order.
2. South Slope Cooperative Telephone Company is directed to file an exchange boundary map showing the addition of the Amana exchange to its territory,

new tariffs in its name, and a statement of 2-PIC dialing parity within 30 days of this order.

3. An amended Certificate No. 0120 will be issued concurrently with this order.

4. Certificate No. 0010 will be cancelled concurrently with this order.

5. The Board affirmatively states that it does not object to the request that a study area waiver be granted by the FCC.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.      /s/ Diane Munns  
Executive Secretary

Dated at Des Moines, Iowa, this 11<sup>th</sup> day of September, 2000.